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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

TESLA, INC., a Delaware corporation,
Plaintiff,

vs.

MARTIN TRIPP, an individual,
Defendant.

AND RELATED COUNTERCLAIMS

Case No. 3:18-cv-00296-LRH-CLB

**STIPULATION AND [PROPOSED]
MODIFICATION TO
SCHEDULING ORDER
(FIFTH REQUEST)**

1 Pursuant to Local Rule 26-4, Plaintiff and Counter-Defendant Tesla, Inc. (“Tesla”) and
2 Defendant and Counter-Plaintiff Martin Tripp (“Tripp”) submit the following Stipulation and
3 Proposed Modification to Scheduling Order.

4 On March 13, 2013, the Court granted in part and denied in part Tripp’s motion to compel
5 the deposition of Elon Musk. All other discovery has been completed. For the reasons discussed at
6 the hearing on the motion, good cause exists to extend the discovery cutoff.

7 The Court previously modified the Scheduling Order on December 5, 2018, March 6, 2019,
8 June 19, 2019, and October 1, 2019, pursuant to stipulation of the parties. (ECF Nos. 55, 68, 81,
9 and 101.) This is therefore the fifth request for modification of the Scheduling Order. The parties
10 do not anticipate requesting further modifications.

11 For the foregoing reasons, the parties stipulate and respectfully request that the Scheduling
12 Order be modified as follows:

13 1. **Discovery Cutoff Date:** The discovery cutoff date shall be extended to
14 February 28, 2020 for the limited purpose of the deposition of Elon Musk. No other discovery may
15 be taken.

16 2. **Dispositive Motions:** Dispositive motions may be filed no later than March 31,
17 2020.

18 3. **Pretrial Order:** The pretrial order shall be filed no later than April 30, 2020. In the
19 event dispositive motions are filed, the date for filing the joint pretrial order shall be suspended
20 until 30 days after the decision of the dispositive motions or until further order of the Court. The
21 disclosures required by Federal Rule of Civil Procedure 26(a)(3), and any objections thereto, shall
22 be included in the pretrial order.

23 4. All other deadlines remain as stated in the Discovery Plan and Scheduling Order
24 previously entered by the Court (ECF Nos. 31, 55, 68, 81, 101).

1 Dated: December 19, 2019

CHARIS LEX P.C.

2
3 By: /s/ Sean P. Gates
4 Sean P. Gates
5 Attorneys for Plaintiff and
Counter-Defendant Tesla, Inc.

6 Dated: December 19, 2019

TIFFANY & BOSCO, P.A.

7
8 By: /s/ William Fischbach
9 William Fischbach
10 Attorneys for Defendant Martin Tripp

11
12 **ORDER**

13 IT IS SO ORDERED:

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15
16 HON. CARLA BALDWIN
UNITED STATES MAGISTRATE JUDGE

17 DATED: _____
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